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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/546,823	04/11/2000	Ning Nicholas Chen	EUS04042-EWU	4725
24112	7590	05/18/2004	EXAMINER	
COATS & BENNETT, PLLC			LEE, CHI HO A	
P O BOX 5			ART UNIT	
RALEIGH, NC 27602			PAPER NUMBER	

2663

DATE MAILED: 05/18/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/546,823

**Applicant(s)**

CHEN ET AL.

**Examiner**

Andrew Lee

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 5/5/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-10, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 4-6, 11-18 and 21-27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 7-10, and 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Koshino U.S. Patent Number 6,603,763.

Re Claim 1, fig. 1 teaches plurality of Packet SW (at least one PCF) communicatively coupled between MS and Internet connection Device 11 (at least one PSDN); figures 4A-C teaches correspondence tables (See col. 7, lines 1-40) that are used for transferring packets, fig. 5a teaches a Packet Switch (n) for receiving plurality of outgoing packets from plurality of MS(s) and assigns an Private IP address (generating a record unique PSDN ID numbers) accordingly (See col. 7, lines 40+), wherein the assignment of the Private IP address is inherently associated with Internet Connection Device 11 to enable transferring of packets over the Internet 10, furthermore each Packet switch in fig. 1 selects the same Internet Connection Device 11 responsive to the Private IP address.

Re Claim 7, refer to Claim 1, unique MS ID are inherently assigned; fig. 4C teaches the cross correspondence between the MS ID and the Private IP address

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wherein the Packet Switch assigns a Private IP address and stores it in 202, once the MS-ID is recognized by the Packet Switch, Private IP address is assigned (selecting PSDN ID in response to the MS-ID).

Re Claim 2, refer to Claim 1, see fig.4C teaches Private IP address associated with Mobile Station ID (See col. 7, lines 1-40) wherein it is inherent that each mobile station is assigned with ID number.

Re Claims 3, 10, refer to Claim 1, fig. 2 teaches a single Internet Connection Device (n=1 PDSN) wherein 103 table associates a Global IP address (a unique IP address) with Private Address Group (a PSDN ID number), See fig. 4A teaches a order sequences correspondence table (ordered sequence of PSDN ID numbers cross-referenced to the IP addresses).

Re Claim 8, the selection of the 11 is based on the correspondence table of 103 that includes a total number of Private Address assignments.

Re Claim 9, refer to Claim 7, wherein PW includes forwarding the received packet to another PW based on the location of the mobile (See col. 6, lines 25-68), hence, PS enable handover to another PS regardless of the 11.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koshino U.S. Patent Number 6,603,763.

Re Claim 19, refer to Claims 1 and 7, fig. 3 teaches details of the Packet switch (PFC) that includes a port for communication with Packet Mobile station and a port for communicating with an IP address; fig. 2 details of the Internet Connection Device 11 that includes a port for communicating with Packet switch.

Koshino fails to explicitly teach there are plurality of Internet Connection Device 11. One skilled in the art would have been motivated to modify the network configuration and associated tables in fig.1 to include plurality of Internet Connection Device to minimize processing load at the single Internet gateway and to provide a expanded coverage area for data service. Therefore, it would have been obvious to one ordinary skilled to implement more Internet Connection Devices into the network configuration of fig. 1.

Re Claim 20, the selection of the 11 is based on the correspondence table of 103 that includes a total number of Private Address assignments.

***Allowable Subject Matter***

5. Claims 4-6, 11-18, 21-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In combination with Claims 1-4; 7-11; 19-21, prior art fails to the PFC selects the first PDSN ID number by dividing the first MS ID by the number of (n) PDSNs in the table.

***Response to Arguments***

6. Applicant's arguments with respect to claims 1-3, 7-10, and 19-20 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Lee whose telephone number is 703-305-1500. The examiner can normally be reached on Monday to Friday from 8:30AM to 6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AL  
5/11/04  
ANDY LEE  
PATENT EXAMINER

